

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 23-8507-WM

UNITED STATES OF AMERICA

v.

JOSE RODRIGUEZ TORRES,
ROBERTO RODRIGUEZ, and
JOSE DELGADO HERNANDEZ,
Defendants. _____/

FILED BY SW D.C.

Oct 6, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - WPB

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? ___ Yes ☒ No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? ___ Yes ☒ No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? ___ Yes ☒ No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

BY: Rinku Tribuiani

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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

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Oct 6, 2023

ANGELA E. NOBLE
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United States of America

v.

JOSE RODRIGUEZ TORRES,
ROBERTO RODRIGUEZ, and
JOSE DELGADO HERNANDEZ

Case No. 23-8507-WM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 2022 - September 2023 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:

Code Section

Offense Description

Title 21 U.S.C. §§ 846, 841(a)(1)

Conspiracy to possess with the intent to distribute five (5) kilograms or more
of cocaine

Title 21 U.S.C. § 841(a)(1)

Possession with the intent to distribute five (5) kilograms or more of cocaine

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.



Complainant's signature

Special Agent Corrine Martin, DEA

Printed name and title

Sworn and Attested to me by Applicant by Telephone (FaceTime) pursuant to Fed. R. Crim. P. 4(d) and 4.1

Date: October 6, 2023



Judge's signature

City and state: West Palm Beach, FL

William Matthewman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Corrine Martin, being duly sworn, do depose and state:

INTRODUCTION

1. I am a sworn Special Agent ("SA") with the Drug Enforcement Administration ("DEA") and have served as such since 2009. As a SA, I am authorized to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516, which includes offenses under Title 21, United States Code.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant charging **Jose RODRIGUEZ TORRES, Roberto RODRIGUEZ, and Jose Delgado HERNANDEZ** with conspiracy to possess with intent to distribute 5 kilograms or more of cocaine, in violation of 21 U.S.C. §§ 846, 841(a)(1), and possession with intent to distribute 5 kilograms or more of cocaine, in violation of 21 U.S.C § 841(a)(1).

3. As a DEA Special Agent, I have personally conducted narcotics investigations and have been instructed in investigative techniques for federal crimes including the unlawful distribution of illegal narcotics, possession with intent to distribute controlled substances, importation of illegal narcotics, use of communication facilities to conduct illegal narcotics transactions, money laundering, maintaining places for the purposes of manufacturing, distributing or using controlled substances and conspiracies to commit these offenses, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), 856, 846, 952, and 963, respectively.

4. The information contained in this affidavit is based upon my own personal knowledge, as well as information provided to me by other law enforcement officers and agents. This affidavit is submitted for the limited purpose of establishing probable cause. It does not contain all the information known to me concerning this investigation.

PROBABLE CAUSE

5. In or around December 2022, agents from the Drug Enforcement Administration (“DEA”) and Palm Beach County Sheriff’s Office (“PBSO”) initiated an investigation into the drug trafficking activities of an individual nicknamed “Joselito” who was distributing cocaine in and around Palm Beach County, Florida. This investigation was initiated based upon information obtained from a DEA Confidential Source (“CS”).¹ As a result of information developed during the investigation, agents positively identified “Joselito” as Jose Luis RODRIGUEZ TORRES (“RODRIGUEZ TORRES”) of West Palm Beach, FL.

6. During the course of the investigation, the CS was able to introduce an undercover agent (“UC”) as an individual interested in purchasing larger quantities of cocaine. Between April 2023 and September 2023, agents, through the use of the UC, conducted four controlled purchases of cocaine, which are outlined in greater detail below, from RODRIGUEZ TORRES.

7. In addition to the controlled purchases of cocaine, investigation conducted with the United States Postal Inspection Service (USPIS) to identify the cocaine source of supply (SOS) to RODRIGUEZ TORRES, Roberto RODRIGUEZ (RODRIGUEZ) and Jose Delgado HERNANDEZ (HERNANDEZ) (collectively the RODRIGUEZ DRUG TRAFFICKING ORGANIZATION (DTO)), revealed that the RODRIGUEZ DTO was utilizing the United States Postal Service (USPS) to ship cocaine from Puerto Rico to multiple locations in South Florida. Throughout the course of the investigation and, as is described in greater detail herein, agents seized two USPS parcels, addressed to two locations connected to the RODRIGUEZ DTO containing more than four kilograms of cocaine. Agents also conducted surveillance of the

¹ The CS shall be referred to herein in the masculine gender even though this may not be the CS’s true gender.

delivery of six additional USPS parcels, which shared similar characteristics with the seized parcels, and which agents believe contained additional amounts of cocaine.

8. Finally, toward the end of the investigation, agents conducted an investigative stop of RODRIGUEZ, who was in possession of three cellular telephones, a loaded .38 Smith & Wesson revolver and \$12,630 in United States currency (USC). As described in detail herein, a forensic download of the cellular telephones revealed text communications and photographs exchanged between RODRIGUEZ and HERNANDEZ, as well as RODRIGUEZ and an unidentified individual(s) utilizing cellular telephones originating from Puerto Rico, which discussed USPS parcels. An examination of the USC seized from RODRIGUEZ revealed RODRIGUEZ was in possession of USC which had been previously documented by serial number as DEA Official Advance Funds, utilized during one of the controlled purchases of cocaine by the UC from RODRIGUEZ TORRES in July 2023.

CONTROLLED PURCHASES BY THE UC FROM RODRIGUEZ TORRES

9. On April 5, 2023, agents from DEA, PBSO, Federal Bureau of Investigation ("FBI"), and the USPIS conducted surveillance of a controlled purchase between a UC and RODRIGUEZ TORRES for approximately 500 grams of cocaine. Prior to the operation, agents directed the CS to make controlled calls and to exchange text messages with RODRIGUEZ TORRES in order to arrange the controlled purchase between the UC and RODRIGUEZ TORRES. During these recorded communications, RODRIGUEZ TORRES and the CS agreed that RODRIGUEZ TORRES would meet with the UC at Pollo Tropical, located at 2611 Okeechobee Boulevard, West Palm Beach, FL at approximately 10:15AM to purchase a half kilogram of cocaine for \$13,500. DEA agents met with the UC at a prearranged location prior to the transaction. The UC was provided with \$13,500 Official Advanced Funds ("OAF") for the purpose of purchasing a half kilogram of cocaine from RODRIGUEZ TORRES and outfitted with

covert recording devices to capture audio and video of the transaction. During this time, additional agents established surveillance at RODRIGUEZ TORRES' residence, located at XXXX N Australian Avenue, Apt XXX, West Palm Beach, FL. At this location, an agent observed a black Chrysler 300 bearing Florida tag IZDQ09, known to be driven by RODRIGUEZ TORRES, parked on the north side of the building. At approximately 10:13AM, an agent observed RODRIGUEZ TORRES, carrying a black and red bag, exit his apartment, enter the driver's seat of the black Chrysler 300, bearing Florida license plate IZDQ09, and depart the area. Surveillance units maintained surveillance on the black Chrysler 300.

10. At approximately 10:17AM, the UC traveled to the parking lot of the Pollo Tropical in anticipation of the cocaine purchase. At approximately 10:24AM, the UC arrived in the area of the Pollo Tropical and parked on the east side of the business. A few minutes later, agents observed RODRIGUEZ TORRES arrive in the parking lot in the black Chrysler 300. RODRIGUEZ TORRES eventually parked near the UC's vehicle, exited his Chrysler 300, entered into the passenger side of the black Chrysler 300 and retrieved a black plastic bag. RODRIGUEZ TORRES then approached and entered the front passenger door of the UC's vehicle.

11. Once inside the UC's vehicle, RODRIGUEZ TORRES opened the black plastic bag and retrieved a green toiletry bag, which further contained a plastic Ziploc bag containing a half kilogram of suspected cocaine. RODRIGUEZ TORRES handed the UC the Ziploc bag containing the suspected cocaine. The UC provided RODRIGUEZ TORRES with \$13,500 OAF in exchange for the suspected cocaine.

12. The UC and RODRIGUEZ TORRES also discussed conducting future cocaine transactions and provided the UC with his (RODRIGUEZ TORRES') phone number, 561-493-XXXX, so that the UC could contact RODRIGUEZ TORRES directly. The UC advised

RODRIGUEZ TORRES that he (the UC) would be in touch with RODRIGUEZ TORRES. RODRIGUEZ TORRES exited the UC's vehicle. RODRIGUEZ TORRES entered the driver's seat of the black Chrysler 300 and departed the area. Agents followed RODRIGUEZ TORRES in the black Chrysler 300 until he arrived back to XXXX N Australian Avenue, Apt XXX, West Palm Beach, FL without stopping.

13. The UC traveled to a predetermined location to meet with agents. Upon arriving at the predetermined meet location, the UC transferred custody of the suspected cocaine to agents. The suspected cocaine was sent to the DEA Southeast Laboratory and was determined to be cocaine hydrochloride with a net weight of 500.5 grams.

14. Following this controlled purchase, agents conducted toll analysis for cellular telephone 561-493-XXXX, utilized by RODRIGUEZ TORRES and determined that after the CS was directed to contact RODRIGUEZ TORRES to arrange the purchase of cocaine by the UC, RODRIGUEZ TORRES contacted RODRIGUEZ at telephone number 561-618-XXXX. Toll analysis also revealed that immediately following the controlled purchase, RODRIGUEZ TORRES contacted telephone number 561-618-XXXX, utilized by RODRIGUEZ. Agents believe that RODRIGUEZ TORRES was in communication with RODRIGUEZ on the day prior to the deal in order to pick up the cocaine which he eventually sold to the UC. Agents further believe that the communication between these two parties immediately following the controlled purchase was to discuss the successful sale of cocaine by RODRIGUEZ TORRES to the UC and for RODRIGUEZ TORRES to arrange returning the proceeds from the transaction to RODRIGUEZ, his cocaine source of supply and co-conspirator.

15. On May 25, 2023, agents from DEA, PBSO, FBI and USPIS conducted surveillance of a controlled purchase between a UC and RODRIGUEZ TORRES for

approximately 500 grams of cocaine. Prior to the date of the operation, as well as on the date of the operation described herein, the UC spoke with RODRIGUEZ TORRES by telephone to arrange the controlled purchase of a half kilogram of cocaine in exchange for \$13,500.

16. Toll records for the telephone number utilized by RODRIGUEZ TORRES indicated that after the UC spoke with RODRIGUEZ TORRES, RODRIGUEZ TORRES immediately contacted telephone number 941-249-XXXX, utilized by RODRIGUEZ. Less than one hour after speaking to RODRIGUEZ, RODRIGUEZ TORRES called the UC. During this recorded call, as well as several telephone calls throughout the day, RODRIGUEZ TORRES confirmed he would meet with the UC later in the day at Pollo Tropical, 2611 Okeechobee Boulevard, West Palm Beach to sell him a half kilogram of cocaine in exchange for \$13,500.

17. Later on May 25, 2023, DEA agents met with the UC at a prearranged location prior to the transaction. The UC was provided with \$13,500 for the purpose of purchasing a half kilogram of cocaine from RODRIGUEZ TORRES and outfitted with covert recording devices to capture audio and video of the transaction. During this time, additional agents established surveillance at RODRIGUEZ TORRES' residence, located at XXXX N. Australian Avenue, Apt XXX, West Palm Beach, FL. At approximately 7:08 PM, agents observed RODRIGUEZ TORRES as he arrived at the shopping plaza located in the area of 2611 Okeechobee Boulevard.

18. At approximately 7:09PM, agents observed RODRIGUEZ TORRES' black Chrysler 300 backed into a parking space next to a purple Toyota Scion that was also backed into a parking space. Agents would later learn that RODRIGUEZ TORRES had already exited the black Chrysler 300 and entered the front passenger seat of the purple Toyota Scion. Agents observed RODRIGUEZ TORRES exit the front passenger seat of the Toyota Scion, walk in front of the Toyota Scion and the black Chrysler 300 in order to return to the driver's seat of the Chrysler

300. Agents observed the driver of the Toyota Scion sedan roll the driver's side window of the Toyota Scion down and appeared to have a conversation with RODRIGUEZ TORRES through what would have been an open passenger window on the Chrysler 300. Agents observed the Chrysler 300 pull away from the Toyota Scion and travel west through the plaza toward the parking lot of the Pollo Tropical. Agents observed RODRIGUEZ TORRES arrive at the location of the UC's vehicle, where he parked along the passenger side of the UC's vehicle. RODRIGUEZ TORRES exited his vehicle, entered the front passenger seat of the UC's vehicle and gave the UC the cocaine. The UC provided RODRIGUEZ TORRES with \$13,500 of OAF and after some conversation, RODRIGUEZ TORRES exited the UC's vehicle, reentered his vehicle and drove to his residence located at XXXX N. Australian Avenue and entered apartment XXX. The cocaine purchased by the UC was sent to the DEA Southeast Laboratory and was determined to be cocaine hydrochloride with a net weight of 500.9 grams.

19. While the UC met with RODRIGUEZ TORRES, additional surveillance agents maintained visual surveillance of the purple Toyota Scion. The Toyota Scion departed from the plaza and as it did so, agents observed the Florida tag of 330QRC attached to the rear of the vehicle. Records previously obtained from the Florida Department of Highway Safety and Motor Vehicles (DHSMV) revealed this vehicle is registered to Franchesca RODRIGUEZ, who is believed to be the wife of RODRIGUEZ. Agents followed the Toyota Scion until it arrived at Emerald Lake Apartments in Lake Worth. Agents observed a male, identified as RODRIGUEZ, exit the driver's door and walk towards the building. Agents observed RODRIGUEZ utilize a key and enter the residence located at XXXX Emerald Vista, Lake Worth, FL.

20. As part of this investigation, agents obtained judicial authorization to install a GPS tracking device on the black Chrysler 300 utilized by RODRIGUEZ TORRES. Review of the

GPS data for this date, May 25, 2023, revealed that the Chrysler 300, utilized by RODRIGUEZ TORRES arrived at XXXX Emerald Vista at approximately 9:35PM on this same date. Agents believe RODRIGUEZ TORRES met with RODRIGUEZ, his cocaine source of supply, to turn over the proceeds from the sale of cocaine to the UC. Toll records for telephone number 772-274-XXXX, utilized by RODRIGUEZ, revealed that on May 25, 2023, RODRIGUEZ was in contact with RODRIGUEZ TORRES approximately 18 times, utilizing two different telephone numbers. These times coincided with the time during which the UC called RODRIGUEZ TORRES to arrange the purchase of cocaine, the time during which RODRIGUEZ TORRES arrived at the area of 2611 Okeechobee Boulevard and met with RODRIGUEZ and then the UC, as well as the time during which RODRIGUEZ TORRES traveled to/arrived at XXXX Emerald Vista, Lake Worth. Agents believe these communications were to discuss their drug trafficking activities.

21. On July 12, 2023, agents held an operational briefing in preparation for a controlled purchase of a half kilogram of cocaine by the UC from RODRIGUEZ TORRES. Following the briefing, agents established surveillance of both RODRIGUEZ TORRES and RODRIGUEZ and then directed the UC to call RODRIGUEZ TORRES to arrange the controlled purchase of cocaine. During a recorded call, RODRIGUEZ TORRES and the UC agreed to meet later in the day at 2611 Okeechobee Boulevard to conduct the deal. On July 12, 2023, at approximately 4:56PM, aerial surveillance video captured RODRIGUEZ as he exited the residence located at XXXX NE 4th Ct, Boynton Beach while holding a square shaped object in his hand. Investigation thus far has identified this location as a stash location (STASH LOCATION). RODRIGUEZ walked to the front passenger side door of a white Kia SUV and placed the object, suspected by agents to be cocaine, inside the vehicle. At approximately 7:08PM, aerial surveillance captured RODRIGUEZ TORRES as he arrived at the STASH LOCATION, exited his vehicle and contacted

RODRIGUEZ, who was standing at the open hood of the white Kia. Moments later, RODRIGUEZ TORRES opened the front passenger side door of the Kia and retrieved an object, suspected by agents to be cocaine, and brought it back to the area of the open hood of the Kia. Aerial surveillance video then captured RODRIGUEZ, who was holding the object believed to be cocaine in his hand, and RODRIGUEZ TORRES as they walked to the Chrysler 300 utilized by RODRIGUEZ TORRES. RODRIGUEZ opened the front passenger door of the Chrysler 300, placed the object inside and then closed the door. RODRIGUEZ TORRES entered the driver's seat and then left the area.

22. Ground and aerial surveillance units followed RODRIGUEZ TORRES to 2611 Okeechobee Boulevard, where he parked next to the UC vehicle. Moments later RODRIGUEZ TORRES exited his vehicle, walked to the UC's vehicle and entered the front passenger seat. Once inside, RODRIGUEZ TORRES gave the UC the cocaine and the UC gave RODRIGUEZ TORRES \$13,500 of OAF. Following a brief conversation, RODRIGUEZ TORRES exited the UC's vehicle, returned to the Chrysler 300 and drove to his residence at XXXX N. Australian Ave and entered apartment XXX. The cocaine purchased by the UC on this date was sent to the DEA Southeast Laboratory and was determined to be cocaine hydrochloride with a net weight of 500.9 grams.

23. Toll records for telephone number 561-493-XXXX, utilized by RODRIGUEZ TORRES on July 12, 2023 revealed that immediately following RODRIGUEZ TORRES' conversation with the UC, wherein the UC requested to purchase a half kilogram of cocaine, RODRIGUEZ TORRES called telephone number 941-249-XXXX, utilized by RODRIGUEZ. Toll records revealed that in addition to this particular call, RODRIGUEZ TORRES and RODRIGUEZ were in contact with one another approximately 30 times on July 12, 2023. These

times coincided with the time during which the UC contacted RODRIGUEZ TORRES to arrange the purchase of cocaine and the time during which RODRIGUEZ TORRES traveled to/arrived at the STASH LOCATION to meet with RODRIGUEZ to acquire the cocaine, which was ultimately sold to the UC.

24. On September 7, 2023, agents held an operational briefing in preparation for a controlled purchase of a half kilogram of cocaine by a UC from RODRIGUEZ TORRES. The UC was provided with \$13,500 OAF for the purpose of purchasing a half kilogram of cocaine from RODRIGUEZ TORRES and outfitted with covert recording devices to capture audio and video of the transaction. Following the briefing, agents established surveillance of RODRIGUEZ TORRES and then directed the UC to call RODRIGUEZ TORRES to arrange the controlled purchase of cocaine. Following two recorded telephone calls between the UC and RODRIGUEZ TORRES, wherein RODRIGUEZ TORRES agreed to sell the UC one half of a kilogram of cocaine, agents observed RODRIGUEZ TORRES exit his apartment located at XXXX N Australian Ave, Apt XXX, West Palm Beach, enter his vehicle and drive directly to HERNANDEZ' residence located at XXXX Monmouth Road, West Palm Beach, Florida. Agents observed and recorded RODRIGUEZ TORRES as he exited his vehicle and walked to the fence located east of the garage door, where he was greeted by HERNANDEZ. HERNANDEZ and RODRIGUEZ TORRES entered the residence and were out of view. A short time later, RODRIGUEZ TORRES and HERNANDEZ exited the east door of the residence. Agents observed RODRIGUEZ TORRES, who was carrying a black case under his left arm, open the front passenger door of his vehicle, place the black case inside and then after a short conversation with HERNANDEZ, depart the area. Around this same time, the UC received a telephone call from RODRIGUEZ TORRES, who indicated he was ready to meet. Based on these observations and the timing of RODRIGUEZ

TORRES' telephone call to the UC, agents believed RODRIGUEZ TORRES met with HERNANDEZ at XXXX Monmouth Road, West Palm Beach, to obtain the cocaine he intended to sell to the UC.

25. Agents followed RODRIGUEZ TORRES directly to 2611 Okeechobee Boulevard, West Palm Beach, where he parked next to the UC's vehicle. RODRIGUEZ TORRES exited the driver's door, walked to the front passenger side door of his vehicle, retrieved the black case and then entered the UC's vehicle. Once inside the UC's vehicle, RODRIGUEZ TORRES placed the black, rectangular, hard plastic case on the center console of the UC's vehicle. The UC opened the case and removed the cocaine from the case. The UC handed RODRIGUEZ TORRES \$13,500 of DEA/FBI OAF, which RODRIGUEZ TORRES placed into the black case. After a brief conversation, RODRIGUEZ TORRES exited the UC's vehicle. RODRIGUEZ TORRES opened the trunk of his vehicle, placed the black case inside, then entered his vehicle and drove back to his residence at XXXX N. Australian Ave and parked. Agents observed RODRIGUEZ TORRES exit the driver's door, retrieve an item from the trunk of his vehicle, place it in his pocket and then enter apartment XXX.

26. After the transaction concluded, the UC traveled to a predetermined location to meet with agents. Upon arriving at the predetermined meet location, the UC transferred custody of the suspected cocaine to agents. The suspected cocaine was sent to the DEA Southeast Laboratory and was determined to be cocaine hydrochloride with a net weight of 500.2 grams.

27. Agents maintained surveillance of RODRIGUEZ TORRES and later on the same date, September 7, 2023, surveillance agents observed RODRIGUEZ TORRES arrive back to HERNANDEZ' residence located at XXXX Monmouth Road, West Palm Beach, retrieve a rectangular shaped item from the trunk of his vehicle and enter the residence. A short time later

RODRIGUEZ TORRES exited HERNANDEZ' residence, entered the driver's seat of his vehicle and left the area. Based on the observations made by agents before and after the controlled purchase of cocaine by the UC on September 7, 2023, agents believe that after speaking with the UC on this date, RODRIGUEZ TORRES drove to HERNANDEZ' residence to retrieve the cocaine, which he sold to the UC. Agents further believe RODRIGUEZ TORRES returned to HERNANDEZ' residence shortly after conducting the transaction with the UC in order to return the proceeds of the sale to HERNANDEZ.

SEIZURE OF USPS PARCELS CONTAINING COCAINE

28. In February 2023, the USPIS contacted DEA regarding USPS parcel, tracking number 9505 5110 2703 3039 8395 33 (PARCEL #1). PARCEL #1 is described as USPS box containing a handwritten label: From: Fernando Ramos, Ext. San Isidro A Saave dra 150, Sabana Grande, Puerto Rico 00637; To: Jose Arroyo, 2111 4th Ct. ne, Boynton Beach, FL 33435. On February 8, 2023, PARCEL #1 was removed from the mail-stream by USPIS Inspectors in Puerto Rico based on suspicious characteristics, including PARCEL #1 being sourced in Puerto Rico and destined for Florida, the weight of PARCEL #1 being 7 lbs. 10.2 oz, the sender's name not being associated with the address, the recipient's name not being associated with the address, and a positive K-9 alert to PARCEL #1. On February 9, 2023, USPIS agents obtained judicial authorization in the District of Puerto Rico to search PARCEL #1. On February 10, 2023, USPIS opened PARCEL #1 and it contained two (2) kilogram bricks consisting of approximately 2,110 grams of white powdery substance that field tested positive for cocaine. PARCEL #1 and suspected cocaine were later shipped to USPIS in West Palm Beach, FL and transferred to DEA on February 28, 2023. Analysis conducted by the DEA Southeast Laboratory determined the substance was cocaine with a net weight of 2,018.6 grams.

29. A review of the USPS business records revealed a number of unique IP addresses queried the delivery status of the seized PARCEL #1 on multiple dates and times. DEA served an administrative subpoena to T-Mobile USA for subscriber information for the identified unique IP addresses that queried the delivery status of PARCEL #1. A return of the subpoenas provided by T-Mobile USA revealed there were three unique IP addresses assigned telephone number 561-618-XXXX, which were querying the status of PARCEL #1. The T-Mobile USA subpoena return revealed there was no additional subscriber information provided for telephone number 561-618-XXXX. Due to the lack of subscriber information, on March 3, 2023, agents obtained judicial authorization to utilize a Cell Site Simulator for the cellular device to determine the user. Upon executing the warrant, agents identified the user of telephone number 561-618-XXXX to be RODRIGUEZ. Agents believe RODRIGUEZ tracked PARCEL #1, which was seized by agents and found to contain more than two kilograms of cocaine, because he (RODRIGUEZ) had arranged/invested with the cocaine SOS in Puerto Rico to ship the cocaine to the residence in Boynton Beach, Florida where his family resides, and where he (RODRIGUEZ) would acquire the cocaine to further distribute to customers in South Florida.

30. Agents continued investigation of RODRIGUEZ and determined the residence located at XXXX NE 4th Ct, Boynton Beach, the intended recipient address of PARCEL #1 seized by law enforcement, which contained more than two kilograms of cocaine, is the residence occupied by RODRIGUEZ' sister and owned by RODRIGUEZ' mother and step-father. Additional investigation conducted by USPIS revealed that in addition to tracking the seized PARCEL #1, the unique IP addresses assigned to RODRIGUEZ' telephone had also queried the delivery status of additional parcels, sent from Puerto Rico to various locations in South Florida.

As a result of this investigation the following additional addresses were determined to be connected to the RODRIGUEZ drug trafficking organization (DTO):

- XXXX Monmouth Road, West Palm Beach, Florida (HERNANDEZ' residence)
- XXX SW Lost River Road, Stuart, Florida
- XXX El Prado, West Palm Beach, Florida
- XXXX NE 4th Court, Boynton Beach, Florida (RODRIGUEZ' former residence)

31. As the investigation continued, agents from DEA, PBSO and USPIS monitored mail parcels inbound to these addresses from Puerto Rico. Between the dates of March 10, 2023 and July 13, 2023, agents conducted surveillance of the delivery of six USPS parcels, believed to contain cocaine, to the addresses listed above. These periods of surveillance revealed a pattern of activity wherein HERNANDEZ, who resides at XXXX Monmouth Road, West Palm Beach, Florida, arrived at the location of the parcel delivery (several times as the driver of a rental vehicle, rented in RODRIGUEZ' name) and remained until shortly after the USPS delivered the parcel. HERNANDEZ then departed the delivery location and traveled with the parcel to either the STASH LOCATION or to meet with R.M. and conduct, what agents believed to be, a drug transaction.

32. On April 20, 2023, agents conducted surveillance of the delivery of USPS parcel, tracking number 9505 5111 4073 3108 6621 84 (PARCEL #2) to XXX El Prado, West Palm Beach, Florida. On this date, agents maintained surveillance at XXX El Prado, West Palm Beach from approximately 10:30AM until approximately 5:05PM, when the USPS delivered PARCEL #2. During this six-hour period of surveillance, agents observed HERNANDEZ arrive at and depart from the residence multiple times, while driving a rental vehicle rented in RODRIGUEZ' name. Shortly after agents observed PARCEL #2 delivered directly to HERNANDEZ by the

USPS carrier in front of the residence, HERNANDEZ departed with PARCEL #2. Agents followed HERNANDEZ to a parking lot of a business located at XXXX Northlake Boulevard, West Palm Beach and observed him meet with R.M. inside of the rental vehicle and conduct, what agents believed to be, a drug transaction.² Following the suspected drug transaction, agents observed HERNANDEZ discard, what was later determined to be, PARCEL #2 in the dumpster near the location of the drug transaction. Agents located and seized PARCEL #2 from the dumpster, which listed the address of XXX El Prado, West Palm Beach, Florida on the shipping label. On the following day, agents utilized a K-9 trained in the detection of illegal drugs to conduct a sniff of PARCEL #2 and obtained a positive alert for the presence of narcotics.

33. On or about May 17, 2023, agents identified two USPS parcels inbound from Puerto Rico to two separate addresses associated with the RODRIGUEZ DTO. The first parcel, number 9505 5111 4073 3136 6775 49 (PARCEL #3), addressed to Keniel Perez at XXX El Prado, West Palm Beach, Florida, which was deemed by the United States Postal Inspection Service (USPIS) as having suspicious characteristics, was removed from the mail stream. PARCEL #3 was originally estimated to be delivered on May 18, 2023 and agents conducted surveillance of the residence on this date. Throughout the day, agents observed HERNANDEZ arrive at and depart from the residence multiple times. Agents believe HERNANDEZ arrived at the residence in anticipation of the delivery of PARCEL #3 which, based upon the weight, was believed to contain two kilograms of cocaine. On May 19, 2023, agents received judicial authorization to search PARCEL #3, intended for delivery to XXX El Prado, West Palm Beach. Upon opening PARCEL

² Agents were familiar with this location and with R.M. because on April 3, 2023, following the delivery of a USPS parcel suspected to contain cocaine to XXX SW Lost River Road, Stuart, agents followed HERNANDEZ from XXX SW Lost River Road, Stuart to the same business where he met with a male, believed to be R.M., and conducted, what agents believed to be, a drug transaction.

#3, agents seized approximately 2 kilograms of a substance, which was later determined by the DEA Southeast Laboratory to be cocaine with a net weight of 2,007.8 grams.

34. The second parcel scheduled for delivery on May 18, 2023 to XXXX NE 4th Ct, Boynton Beach was, in fact, delivered to L.A., a male, believed to be a facilitator to the RODRIGUEZ DTO. Several hours after the delivery, agents observed a purple Toyota Scion, known to be driven by RODRIGUEZ, arrive at the residence. After remaining for a short time, the Toyota Scion left the area and drove to the STASH LOCATION. Agents maintained surveillance at this location and at approximately 9:38PM, agents observed a grey Chrysler 300 sedan, registered to HERNANDEZ, parked at the residence. Agents believe RODRIGUEZ and HERNANDEZ met at the STASH LOCATION on this date to discuss the parcel which was delivered to XXXX NE 4th Ct, Boynton Beach and believed to contain cocaine, as well as PARCEL #3, which was not delivered on this date as scheduled, and which was seized by agents and found to contain approximately 2 kilograms of cocaine.

35. On July 13, 2023, agents conducted surveillance of the delivery of a USPS parcel (PARCEL #4) to XXXX NE 4th Ct, Boynton Beach, Florida. As a result of the previous parcel seizure by USPIS in February 2023, which was addressed to this location and which contained approximately two kilograms of cocaine, agents suspected the current parcel also contained cocaine. Less than one hour after the parcel was delivered, agents observed HERNANDEZ arrive at the residence and park in the driveway. After approximately five minutes, HERNANDEZ departed from the residence and was followed by agents until he arrived at his residence located at XXXX Monmouth Road, West Palm Beach, Florida. Agents observed and recorded HERNANDEZ exit his vehicle with a large box and enter the residence. Later, on the same date, agents observed HERNANDEZ meet with RODRIGUEZ at the STASH LOCATION. At this

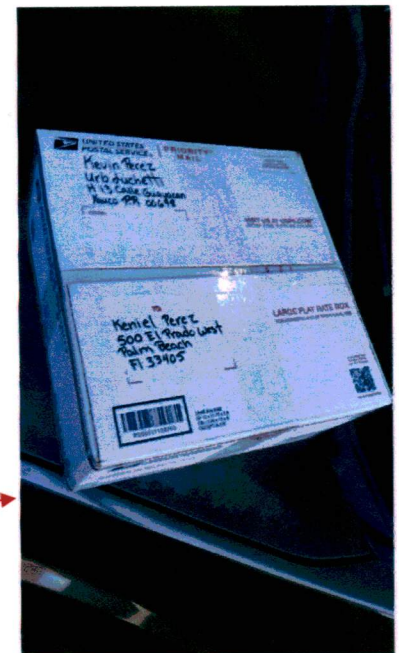
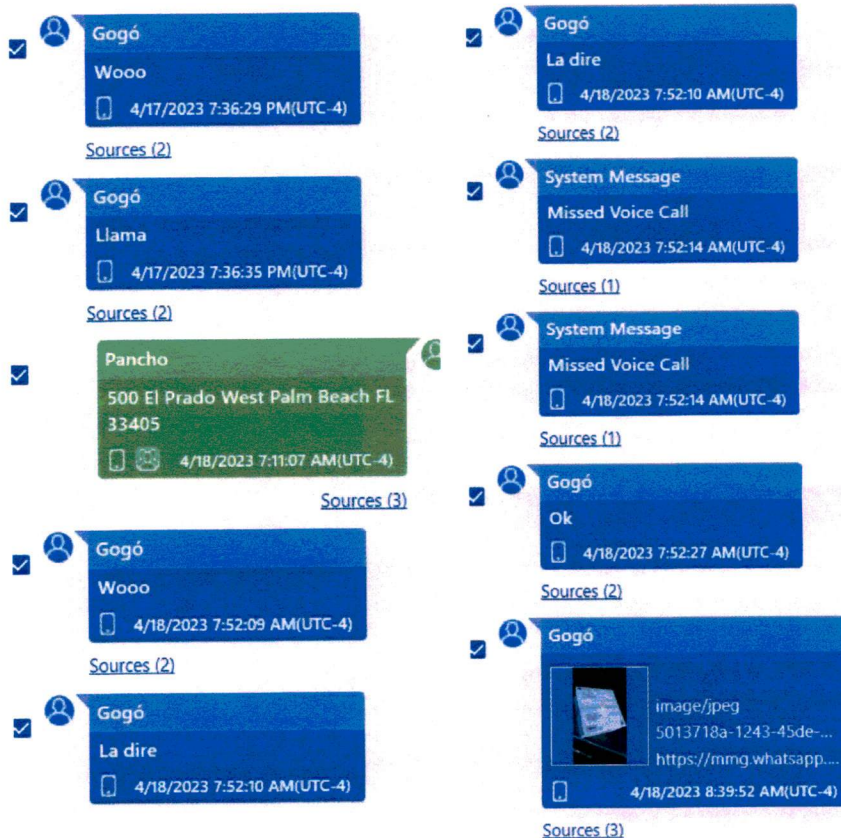
location, agents observed an exchange between HERNANDEZ and RODRIGUEZ in RODRIGUEZ' vehicle. Shortly after the exchange, RODRIGUEZ departed from the STASH LOCATION. Agents conducted an investigative stop of RODRIGUEZ' vehicle and, after a positive K-9 alert to the presence of narcotics, agents conducted a search of the vehicle. The search revealed various types of prescriptions pills, three cellular telephones, a loaded Smith & Wesson revolver and what was later determined to be \$12,630 of USC. Agents conducted a post-Miranda interview with RODRIGUEZ wherein he denied being involved in drug trafficking and claimed the large amount of USC was derived from his work as a window tint installer. Agents seized the three cellular telephones, the firearm and the USC. RODRIGUEZ was subsequently released.

36. On July 14, 2023, agents examined the serial numbers of the currency seized from RODRIGUEZ and determined that \$4,150 (\$50 from the currency seized in RODRIGUEZ' pocket and \$4,100 from the currency seized in the black bag) of the currency matched the serial numbers of DEA OAF utilized by the UC to purchase a half kilogram of cocaine from RODRIGUEZ TORRES on July 12, 2023. Agents noted that the additional USC seized from RODRIGUEZ was similar in amount and in the denominations of the OAF provided to the UC for the controlled buy of cocaine conducted with RODRIGUEZ TORRES on July 12, 2023, however, this OAF was not serialized prior to the controlled purchase.

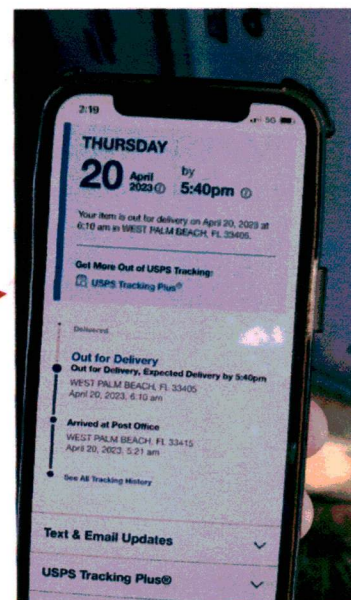
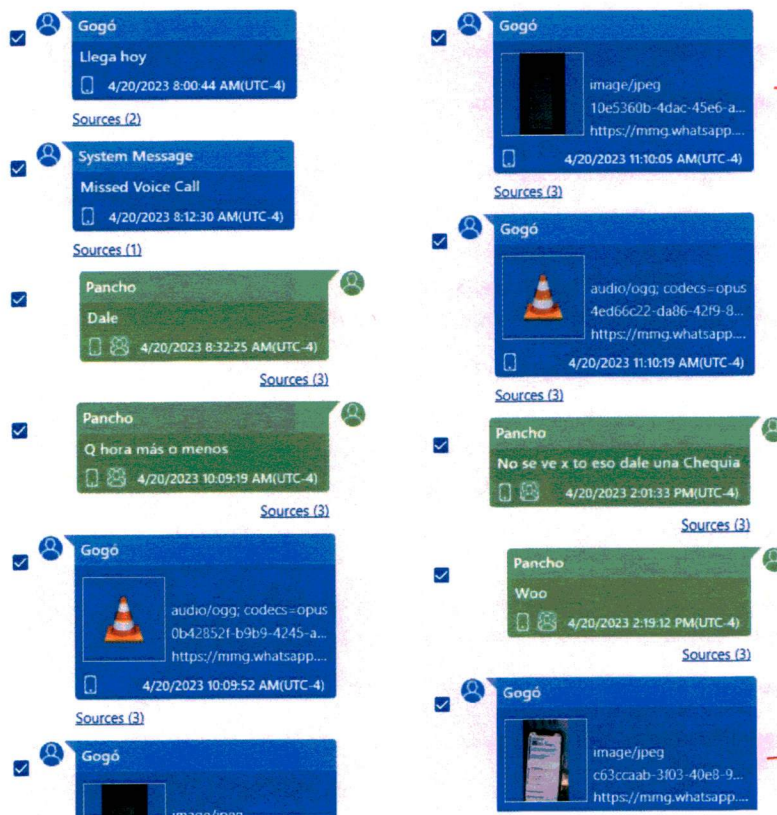
FORENSIC DOWNLOAD OF RODRIGUEZ'S CELLULAR TELEPHONES

37. Following the seizure of the three cellular telephones from RODRIGUEZ, agents obtained judicial authorization to download data stored in each of the devices. During a search of the digital extraction of the red iPhone SE (DEVICE #1), agents observed DEVICE #1 had been assigned cellphone numbers 772-274-XXXX and 561-618-XXXX. To interpret the conversations conducted in Spanish that were identified during the cellphone extraction review, Agents consulted

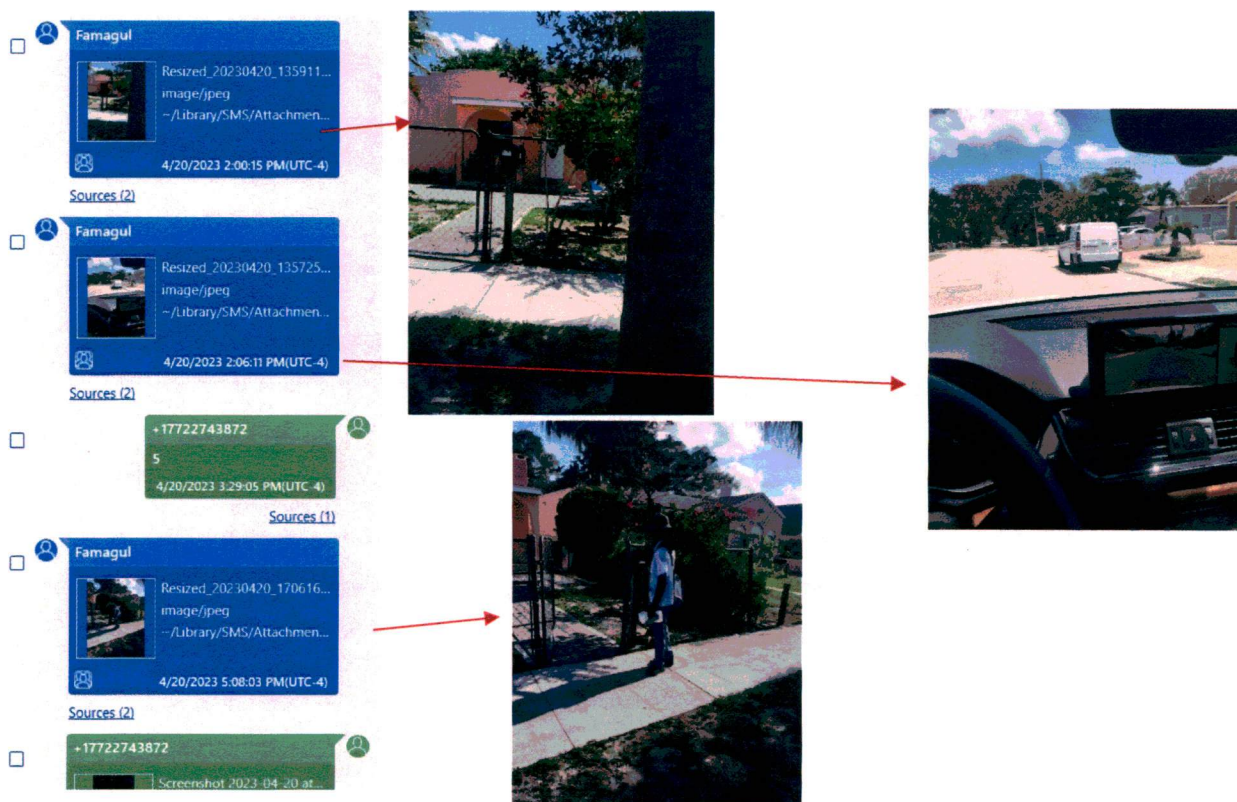
with a law enforcement officer who is a native Spanish speaker and has extensive experience in drug trafficking investigations. During a review of the extraction, agents observed on April 18, 2023, a Whatsapp conversation between “Pancho” (RODRIGUEZ) and 939-865-XXXX “Gogo,” wherein RODRIGUEZ provided “Gogo” the address of XXX El Prado, West Palm Beach, FL 33405 to “Gogo” who acknowledged “Wooo.” On the same date, “Gogo” sent RODRIGUEZ a photograph of a USPS parcel labeled from Kevin Perez, Urb Lucheti, H 13 Calle Guayacan, Yauco, P.R 00698 and addressed to Keniel Perez, XXX El Prado West Palm Beach, FL 33405.



38. On April 20, 2023, in the same Whatsapp chat, RODRIGUEZ messaged “Gogo” asking him, “Q hora mas o menos” interpreted to mean “What time more or less.” “Gogo” responded with a picture of a phone screen which displayed a USPS webpage showing tracking information confirming that the tracked parcel was out for delivery in West Palm Beach, FL and was expected to be delivered on April 20, 2023 between 11:00AM and 1:00PM. The tracking number was not displayed on this photograph.

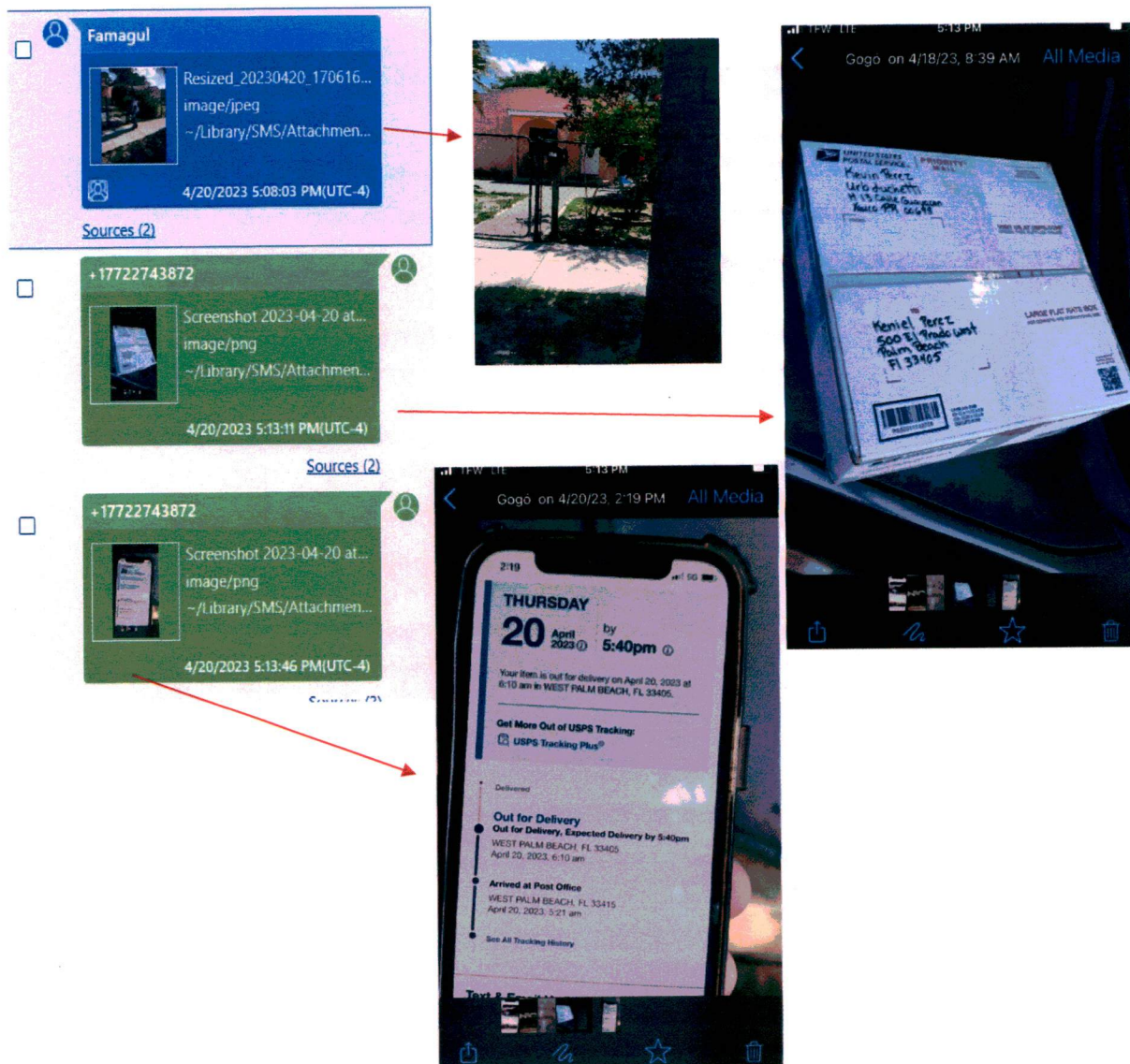


39. A further review of the extraction of DEVICE #1 revealed a SMS conversation between RODRIGUEZ and 561-584-XXXX "Famagul." 561-584-XXXX was previously identified in this investigation to be utilized by HERNANDEZ.³ On April 20, 2023, HERNANDEZ sent RODRIGUEZ a photograph of the front of the residence located at XXX El Prado, West Palm Beach, FL with the numerical "XXX" visible on the mailbox in the front of the residence. HERNANDEZ then sent a photograph taken from inside a vehicle of a USPS van parked in front of an unidentified address. RODRIGUEZ responded, "5." HERNANDEZ responded and sent RODRIGUEZ a photograph of a USPS mail carrier delivering mail to the mailbox of XXX El Prado, West Palm Beach, FL.

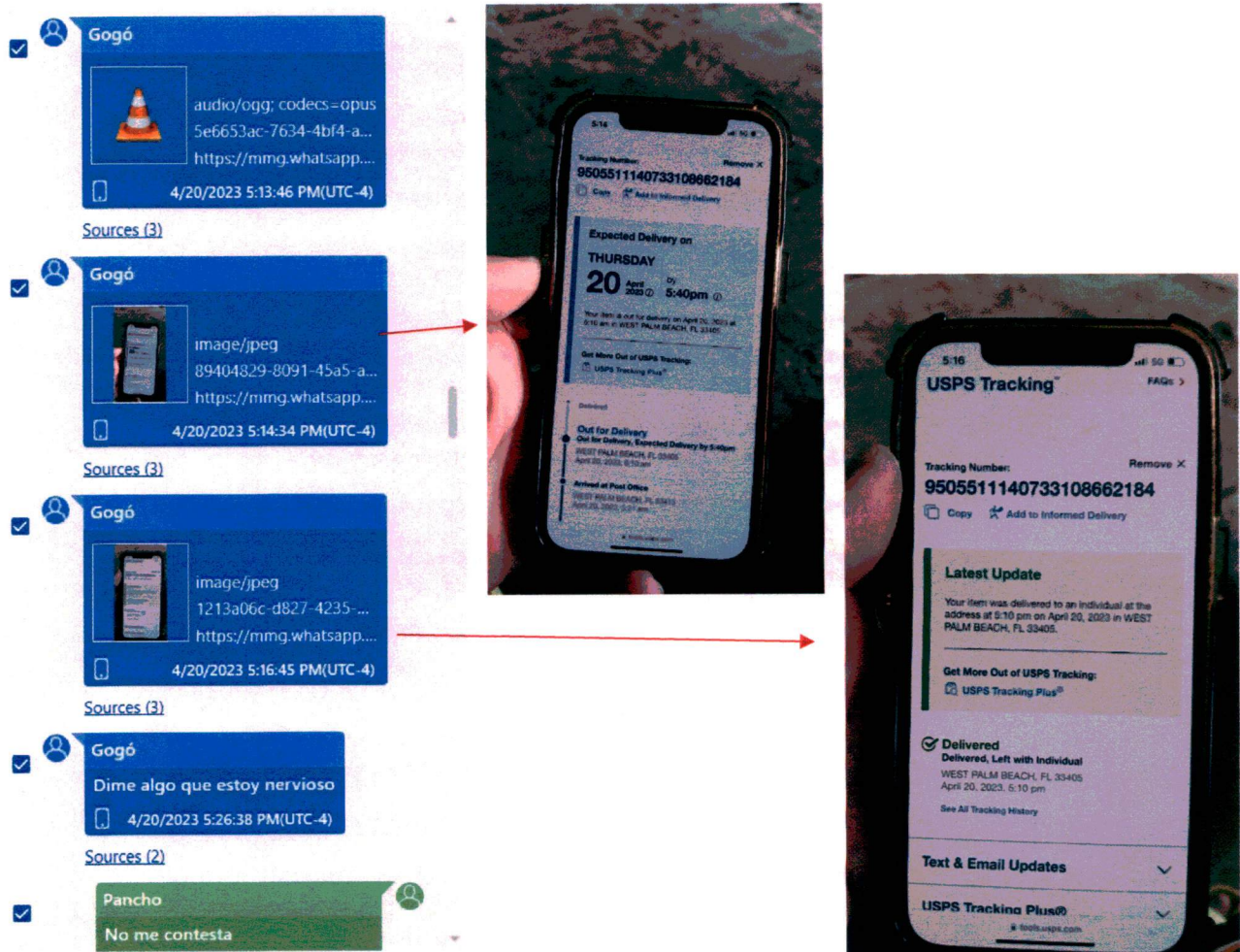


3 During the course of this investigation, agents became aware of a separate PSBO investigation involving the theft of property from 6543 Monmouth Road, West Palm Beach. As part of the investigation PSBO investigation, agents interviewed HERNANDEZ, who is a suspect in the theft. HERNANDEZ provided agents with two of his telephone numbers, which are the same telephone numbers identified by agents as belonging to HERNANDEZ during this drug trafficking investigation.

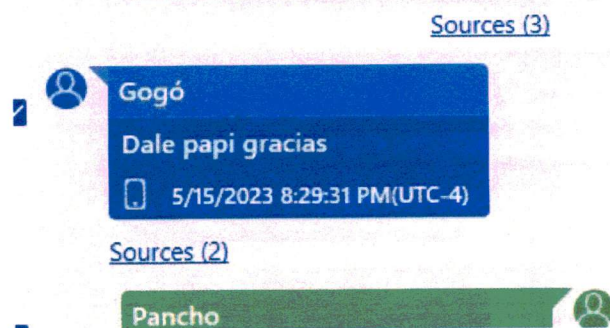
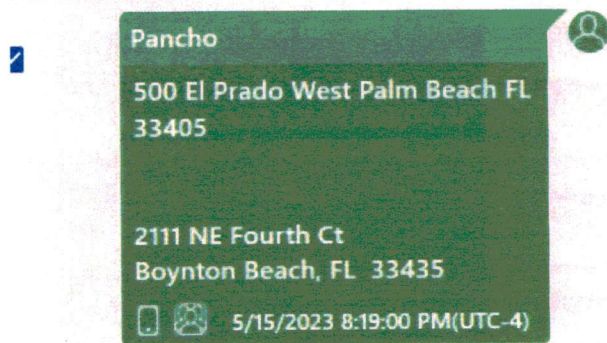
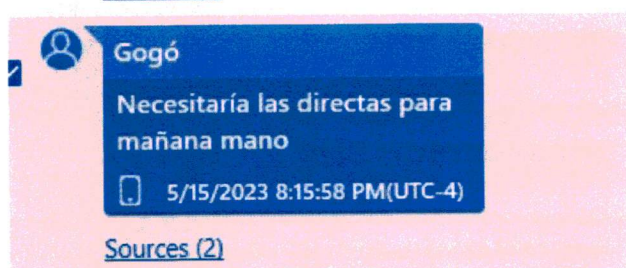
40. RODRIGUEZ sent HERNANDEZ a screenshot of a photograph of the USPS parcel addressed to Keniel Perez, XXX El Prado, West Palm Beach, FL 33405 from Kevin Perez Urb Luchetti H 13 Calle Guayacan, Yauco, P.R. 00698 that was originally sent to RODRIGUEZ from "Gogo" on April 18, 2023. Right after sending this screenshot, RODRIGUEZ sent HERNANDEZ another screenshot of a photograph of a cell phone displaying tracking information for the USPS parcel that was out for delivery on April 20, 2023 by 5:40PM. This screenshot also displayed that it was originally sent to RODRIGUEZ by "Gogo" on April 20, 2023 at 2:19PM.



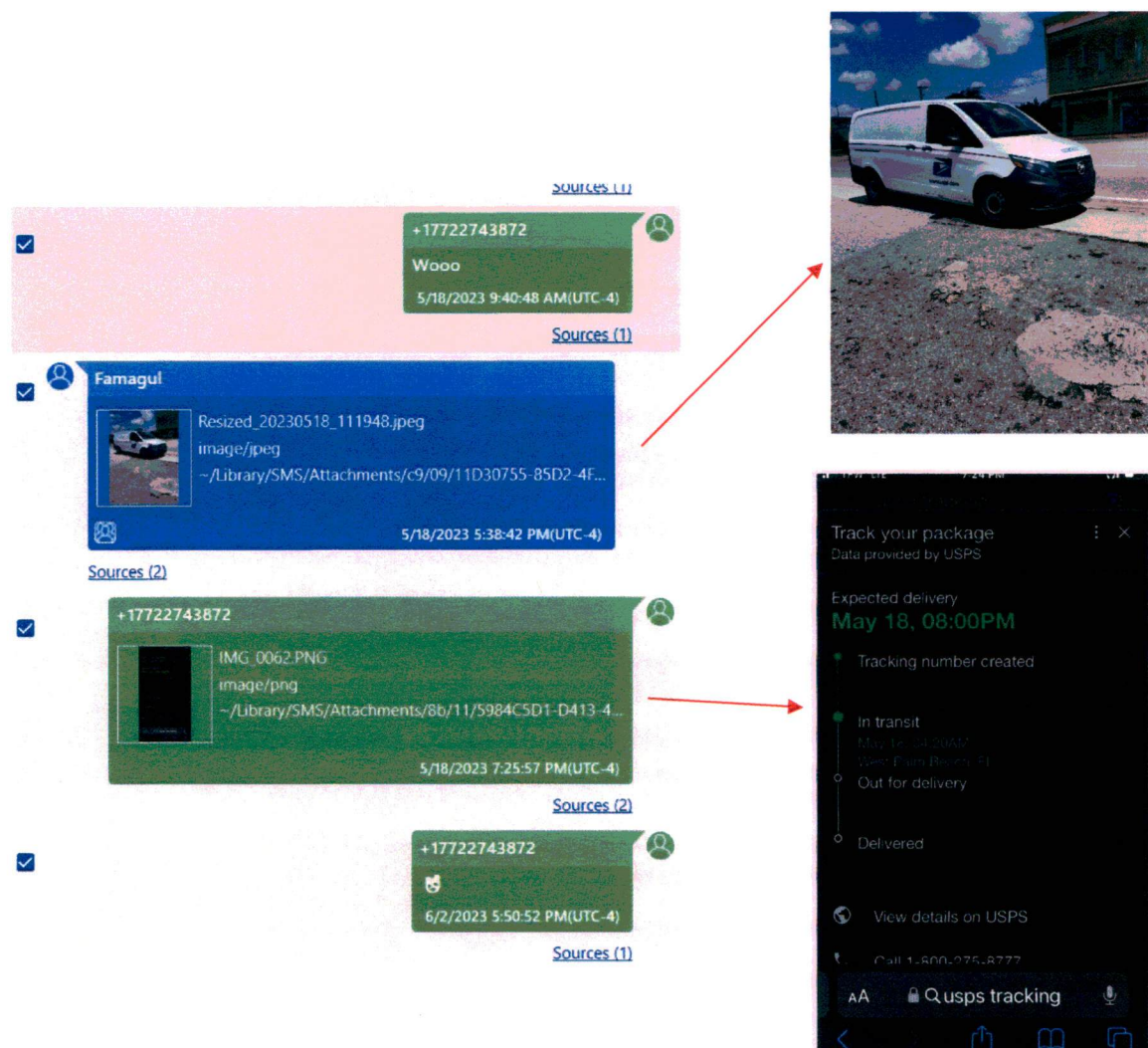
41. On the same date, "Gogo" sent another picture of the screen on a cellphone showing that delivery was expected on April 20, 2023 by 5:40PM, this time showing the tracking number as 9505 5111 4073 3108 6621 84 (which is the tracking number of PARCEL #2). A short time later, "Gogo" sent RODRIGUEZ another photo of the cell phone displaying a delivery confirmation of the parcel being left with an individual. This photo also displayed the tracking number 9505 5111 4073 3108 6621 84 (PARCEL #2). The timing of these messages exchanged between the parties coincided with observations made by surveillance agents surrounding the delivery of PARCEL #2, leading agents to believe the text message exchange between RODRIGUEZ and "Gogo" as well as RODRIGUEZ and HERNANDEZ, referred to details of the delivery of PARCEL #2.



42. Further review of the extraction of DEVICE #1 revealed a Whatsapp chat between RODRIGUEZ and "Gogo" on May 15, 2023 wherein "Gogo" messaged RODRIGUEZ, "Necesitaria las directas para mañana mano" interpreted to mean "I need the addresses for tomorrow bro." RODRIGUEZ responded, "XXX El Prado West Palm Beach, FL 33405 XXXX NE Fourth Ct, Boynton Beach, FL 33435."



43. On May 18, 2023, HERNANDEZ sent a photo of a USPS van parked on the side of the road. RODRIGUEZ responded to HERNANDEZ with a screenshot of USPS tracking information showing that a parcel had an expected delivery of May 18, 2023 by 8:00PM.

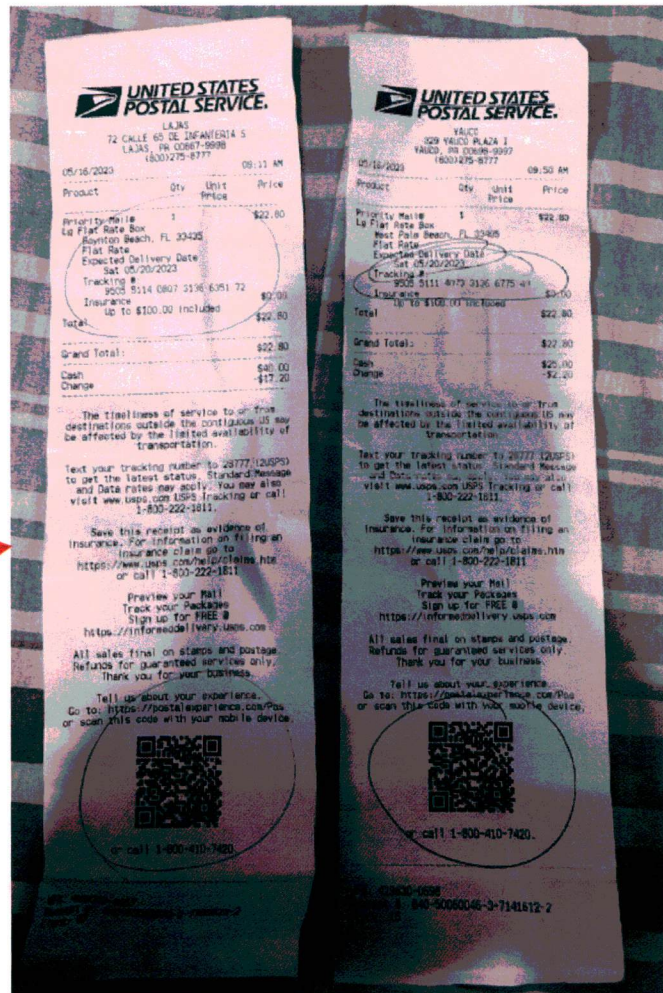
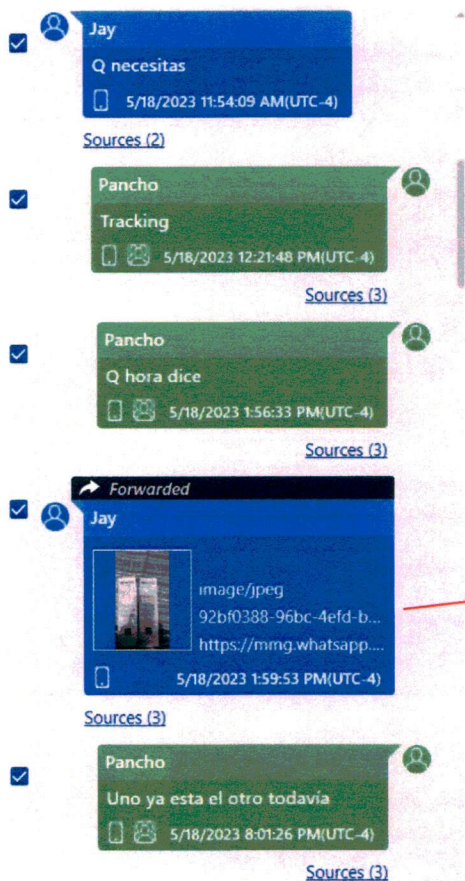


44. Agents located another May 18, 2023 Whatsapp chat between RODRIGUEZ and “Jay” 787-610-XXXX. “Jay” sent RODRIGUEZ a screenshot of USPS tracking information showing tracking number 9505 5111 4073 3136 6775 49 (PARCEL #3) out for delivery in West Palm Beach, FL 33405 on May 18, 2023 at 6:10AM with an expected delivery of May 18, 2023

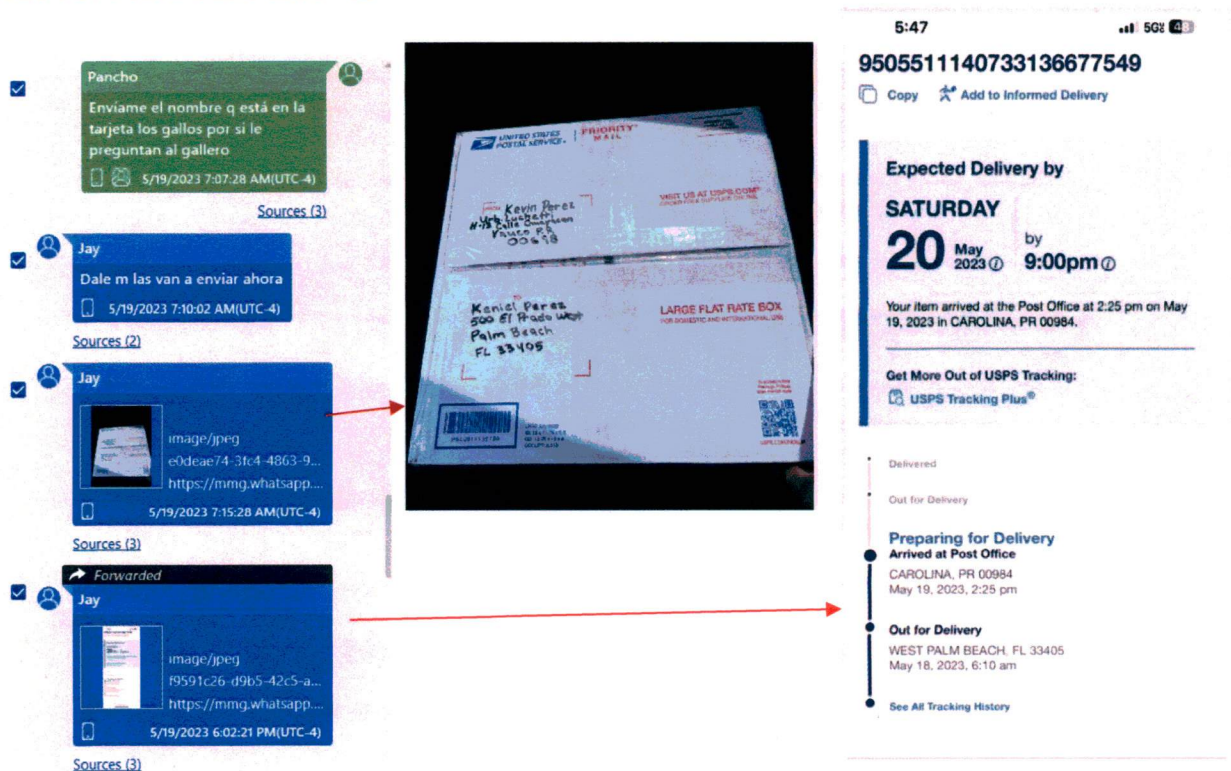
by 4:40PM and showing tracking number 9505 5114 0807 3136 6351 72 out for delivery to Boynton Beach, FL 33435 on May 18, 2023 at 6:10AM with an expected delivery on May 18, 2023 between 10:30AM and 2:30PM. "Jay" responded, "Me dejas saber" interpreted to mean, "Let me know." On the same date, RODRIGUEZ messaged, "Envíame la pa chequeralo aveces cambia la hora" interpreted to mean, "Send me that check, sometimes the time changes." "Jay" responded, "Q necesitas" interpreted to mean "What do you need?" RODRIGUEZ responded, "Tracking."



45. “Jay” replied to RODRIGUEZ by forwarding a photograph of two receipts from USPS with tracking numbers 9505 5114 0807 3136 6351 72 and 9505 5111 4073 3136 6775 49 (PARCEL #3). RODRIGUEZ responded, “Uno ya esta el otro todavia” interpreted to mean “One is done, the other one not yet.”




46. On May 19, 2023, RODRIGUEZ messaged “Jay,” “Envíame el nombre q esta en la tarjeta los gallos por si le preguntan al gallero” interpreted to mean “Send me the name that is on the card of the chicken in case they asked the chicken man.” “Jay” responded with, “Dale m las van a enviar ahora” interpreted as “Alright, are you going to send them right now.” “Jay” followed up with a picture of a USPS parcel with clear packing tape, addressed to Keniel Perez, XXX El Prado, West Palm Beach, FL 33405, from Kevin Perez, Urb Luchetti H-13 Calle Guayacan, Yauco, P.R. 00698 and also a screenshot of tracking information for 9505 5111 4073 3136 6775 49 (PARCEL #3) with an expected delivery of May 20, 2023 by 9:00PM. Further review of the cell phone extraction web history revealed numerous records to tracking USPS tracking number 9505 5111 4073 3136 6775 49 (PARCEL #3). Agents believe that these conversations were related to PARCEL #3 referenced in paragraph 33 that was seized by law enforcement prior to its delivery and the surveillance of the second USPS parcel tracking number 9505 5114 0807 3136 6351 72.




47. Further review of the cellphone extraction of DEVICE #1 yielded additional conversations wherein photographs of large amounts of banded USC were exchanged between RODRIGUEZ and "Gogo," and the address of XXX SW Lost River Rd, Stuart, FL 34997 was provided to RODRIGUEZ by "Palomo." Agents believe the photographs of USC are a depiction of the proceeds of RODRIGUEZ' and Gogo's drug trafficking and the reference to XXX SW Lost River Rd, Stuart, FL is a reference to additional USPS parcels which were sent from Puerto Rico to the RODRIGUEZ DTO in Florida, which contained additional kilogram quantities of cocaine. Based upon the facts outlined above, your affiant submits there is probable cause to charge **Jose RODRIGUEZ TORRES, Roberto RODRIGUEZ and Jose Delgado HERNANDEZ** with conspiracy to possess with intent to distribute 5 kilograms or more of cocaine, in violation of 21 U.S.C. §§ 846 and 841(a)(1), and possession with intent to distribute 5 kilograms or more of cocaine, in violation of 21 U.S.C §§ 841(a)(1).

FURTHER YOUR AFFIANT SAYETH NAUGHT.



CORRINE MARTIN
Special Agent
Drug Enforcement Administration

Sworn to and attested to me by Affiant by Telephone (Facetime) per Fed. R. Crim. P.4(d) and 4.1 on this 6th day of October 2023 in West Palm Beach, Florida.



WILLIAM MATTHEWMAN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JOSE RODRIGUEZ TORRES

Case No: 23-8507-WM

Count #:

Conspiracy to possess with the intent to distribute five (5) kilograms or more of cocaine

Title 21, United States Code, Sections 846 and 841(a)(1)

- * **Max. Term of Imprisonment:** Life imprisonment
- * **Mandatory Min. Term of Imprisonment (if applicable):** 10 years
- * **Max. Supervised Release:** 5 years - life
- * **Max. Fine:** \$10 million dollars

Count #:

Possession with the intent to distribute five (5) kilograms or more of cocaine

Title 21, United States Code, Section 841(a)(1)

- * **Max. Term of Imprisonment:** Life imprisonment
- * **Mandatory Min. Term of Imprisonment (if applicable):** 10 years
- * **Max. Supervised Release:** 5 years - life
- * **Max. Fine:** \$10 million dollars

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: ROBERTO RODRIGUEZ

Case No: 23-8507-WM

Count #:

Conspiracy to possess with the intent to distribute five (5) kilograms or more of cocaine

Title 21, United States Code, Sections 846 and 841(a)(1)

- * **Max. Term of Imprisonment: Life imprisonment**
- * **Mandatory Min. Term of Imprisonment (if applicable): 10 years**
- * **Max. Supervised Release: 5 years - life**
- * **Max. Fine: \$10 million dollars**

Count #:

Possession with the intent to distribute five (5) kilograms or more of cocaine

Title 21, United States Code, Section 841(a)(1)

- * **Max. Term of Imprisonment: Life imprisonment**
- * **Mandatory Min. Term of Imprisonment (if applicable): 10 years**
- * **Max. Supervised Release: 5 years - life**
- * **Max. Fine: \$10 million dollars**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JOSE DELGADO HERNANDEZ

Case No: 23-8507-WM

Count #:

Conspiracy to possess with the intent to distribute five (5) kilograms or more of cocaine

Title 21, United States Code, Sections 846 and 841(a)(1)

- * **Max. Term of Imprisonment: Life imprisonment**
- * **Mandatory Min. Term of Imprisonment (if applicable): 10 years**
- * **Max. Supervised Release: 5 years - life**
- * **Max. Fine: \$10 million dollars**

Count #:

Possession with the intent to distribute five (5) kilograms or more of cocaine

Title 21, United States Code, Section 841(a)(1)

- * **Max. Term of Imprisonment: Life imprisonment**
- * **Mandatory Min. Term of Imprisonment (if applicable): 10 years**
- * **Max. Supervised Release: 5 years - life**
- * **Max. Fine: \$10 million dollars**

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**